

# COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

**DECLARATION:** As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **A SYSTEM FOR TRANSFORMING AND EXCHANGING DATA BETWEEN DISTRIBUTED HETEROGENEOUS COMPUTER SYSTEMS**, the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as U.S. Application Serial No. \_\_\_\_\_ or  
on \_\_\_\_\_ as PCT Application No. \_\_\_\_\_ and amended on \_\_\_\_\_ (if  
applicable.)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code §119(e) of provisional application for patent Ser. No. 60/051,052, filed 27 June 1997.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patents or inventor's certificate having filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

## Priority Claimed

_____ (Number)	_____ (Country)	_____ (Date)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Date)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Date)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Appln. Ser. No.)	_____ (Filing Date)	_____ (Status)
_____ (Appln. Ser. No.)	_____ (Filing Date)	_____ (Status)

**POWER OF ATTORNEY:** I hereby appoint the following attorneys, with full power of substitution, association, and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office concerned therewith.

09105299-062698


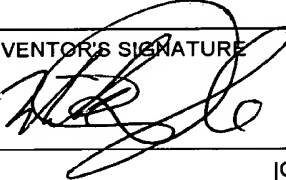
John B. Hardaway, III, Reg. No. 26,554; J. Bennett Mullinax, Reg. No. 36,221; Michael A. Cicero, Reg. No. 34,562; Brian J. Hamilla, Registration No. 38,482, and Katja Dunbar Peralta, Reg. No. P-40,768.

Address all correspondence to:

**HARDAWAY LAW FIRM, P.A.  
P.O. Box 10107, Fed. Sta.,  
Greenville, South Carolina, 29603-0107,  
United States of America**

**Telephone No.: (864) 233-6700**

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR  Darin ELLIS	INVENTOR'S SIGNATURE 	DATE  25-JUNE-98
RESIDENCE 812 Hauteview, Orleans, Ontario, Canada, K4A 2M1		CITIZENSHIP Canadian
POST OFFICE ADDRESS as above		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY  Michael DOYLE	INVENTOR'S SIGNATURE 	DATE  25-JUNE-98
RESIDENCE 75 Southpark Drive, Gloucester, Ontario, Canada, K1B 3B5		CITIZENSHIP Canadian
POST OFFICE ADDRESS as above.		

09105299.062698

Applicant or Patentee: Darin Ellis et al  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_

Atty. Dkt. No. \_\_\_\_\_

A SYSTEM FOR TRANSFORMING AND EXCHANGING DATA  
BETWEEN DISTRIBUTED HETEROGENEOUS COMPUTER SYSTEMS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled A SYSTEM FOR TRANSFORMING AND EXCHANGING DATA BETWEEN DISTRIBUTED HETEROGENEOUS COMPUTER SYSTEMS described in

- ( ☒ ) the specification filed herewith  
( ☐ ) application serial no. , filed  
( ☐ ) patent no. , issued .

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ( ☐ ) no such person, concern, or organization ( ☒ ) persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME JUXTACOMM TECHNOLOGIES INC.

ADDRESS 75 Southpark Drive, Gloucester, Ontario, Canada, K1B 3B5

- ( ☐ ) INDIVIDUAL ( ☒ ) SMALL BUSINESS CONCERN ( ☐ ) NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

- ( ☐ ) INDIVIDUAL ( ☐ ) SMALL BUSINESS CONCERN ( ☐ ) NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

- ( ☐ ) INDIVIDUAL ( ☐ ) SMALL BUSINESS CONCERN ( ☐ ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Darin ELLIS  
NAME OF INVENTOR

Darin Ellis  
Signature of Inventor

Michael DOYLE  
NAME OF INVENTOR

Michael Doyle  
Signature of Inventor

NAME OF INVENTOR

Signature of Inventor

Date 25-JUNE-98

Date 25-JUNE-98

Date

06/26/98

U.S. PTO

09105299-062698

Applicant or Patentee: Darin Ellis et al  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
Title: A SYSTEM FOR TRANSFORMING AND EXCHANGING  
DATA BETWEEN DISTRIBUTED HETEROGENEOUS COMPUTER SYSTEMS

Atty's. Dkt. No.: \_\_\_\_\_

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: JUXTACOMM TECHNOLOGIES INC.  
ADDRESS OF SMALL BUSINESS CONCERN: 75 Southpark Drive, Gloucester, Ontario, Canada, K1B 3B5

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled A SYSTEM FOR TRANSFORMING AND EXCHANGING DATA BETWEEN DISTRIBUTED HETEROGENEOUS COMPUTER SYSTEMS by inventor(s) Darin Ellis et al described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_ filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING MIKE DOYLE  
TITLE OF PERSON IF OTHER THAN OWNER PRESIDENT  
ADDRESS OF PERSON SIGNING 75 SOUTHPARK DRIVE, GLOUCESTER, ONTARIO, CANADA  
K1B3B5

SIGNATURE: [Signature]  
DATE: 25-JUL-98